

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

R.C., by her next friend P.C., §
Plaintiff, §
§
v. § Civil Action No. A-09-CA-649-LY
§
SAN MARCOS CISD §
Defendant. §

DEFENDANT'S SUGGESTION OF DEATH OF NEXT FRIEND

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT (“San Marcos CISD” or “SMCISD”), Defendant herein, and files this Suggestion of Death pursuant to FED. R. CIV. P. 25(a)(1).

1. Pursuant to FED. R. CIV. P. 25(a)(1), Defendant SMCISD suggests the death of P. C., who filed suit as next friend of Plaintiff R. C. Counsel of record for the next friend have admitted that P. C. is deceased. (Docket instrument no. 24, p. 1, footnote 2).

2. Due to the death of the next friend and the adulthood of R. C., as also admitted by counsel of record for the next friend (docket instrument no. 24, p. 1, footnote 1), Defendant requests that P. C. be removed as next friend and a hearing be scheduled to inquire of R. C. whether she is aware of this lawsuit and desires to prosecute the lawsuit in her own name.

Respectfully submitted,

/s/Bridget Robinson
BRIDGET ROBINSON
State Bar No. 17086800

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ATTORNEYS FOR DEFENDANT SMCISD

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of February, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Marty Cirkiel
Cirkiel & Associates
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/s/Bridget Robinson
Bridget Robinson